

# Quid Novi

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UNIVERSITE MCGILL FACULTE DE DROIT

April 11, 1990  
le 11 avril, 1990

## SUMMARY NIGHT FEVER

by Michael B. Kleinman, BCL II

Last Sunday afternoon, I plopped myself down on the sofa with a fuzzy blanket, a pillow (to prop up my bamboozled head) and the best crossword puzzle the infamous Sunday Gazette has to offer. As I began to resemble a certified couch potato, I thought what a pleasant way this was to spend a couple of hours on yet another rapidly vanishing weekend. Alas, woe was I when, much to my dismay, my gaze fell upon "5 Across" The clue? "Summary."

Now before y'all go on an' get a wrong impression o'me, I want you to know

that I'm usually a pretty staid person. I like to keep to myself and try hard, in Lord Atkin's words, "to take reasonable care to avoid acts or omissions which you can reasonably foresee would be likely to injure your neighbour." However, given the extenuating, frustrating circumstances, I was unable to contain myself (or my lunch, for that matter). As my blood surged through my temples, a voice cried out from the depths of my large intestine. The voice suggested, in terms not unclear, that if it did not disgorge its contents in one way, it would find another way to rid itself of the day's snacking. Now that's what I call one wicked *mise en demeure*!

It was only several hours later, after recovering from the digestive tumult earlier on, that the meaning of this became manifest on the face of my friend's wrist-watch. I know it sounds crazy, but sure as Quid Novi means "What's new", there was a "25" where most people's watches have a "3".

Figured it out yet? The 25th day of March; id est, inter alia, less than one month to go until that telling timetable (available gratis from your local SAO) kicks in. Yup, exams are nigh upon us and I am - you guessed

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## THE LISTENING EARTH

by Andrea Morrison, LLB II

For those who still see the environmental crisis as a 'motherhood' issue, Norman Myers in his lecture "Safeguarding the Biosphere: What Cost, What Payoff?" hits home with sound economic arguments. As he points out, it is no longer just 'eco-freaks' who are lobbying for serious changes - anyone with a view to long-term investment and returns cannot fail to realize the advantage of an immediate all-out action to safeguarding our environment. And although, as he said, it is two minutes to midnight, he is optimistic that drastic action now would bring results.

Norman Myers educated at Oxford, and at the University of California, Berkeley, where he received a PhD in conservation and development in 1973 has worked in Kenya as a civil servant and high school teacher, and has produced films on conservation ecology and land-use planning. He has been affiliated with the World Bank, International Union for the Conservation of Nature and the UN Environment Programme. His publications include The Long African Day (1971), The Sinking Art (1979) and Gaia: An Atlas of Planet Management (1985). Most of us have heard of the massive problems hanging over our heads: acidification, the greenhouse effect,

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# ANNOUNCEMENTS

**Research positions/Adjoints de recherche** - 2 positions available with Prof. de Mestral: (1) recherche sur l'arbitrage selon le droit civil au Québec; révisions des recueils de textes de droit constitutionnel (en français) et de droit commercial international. (2) research into the sources of the law applicable to international business contracts in Québec (subject to funding approval). For details contact Prof. de Mestral: 398-6643.

**SAO Notes** - Exams: all information pertaining to exams is to be found on Notice Board #3. Please check every so often. There are still those of you who have not picked up your Term II exam numbers. Please do so before commencement of the exam schedule — like NOW. It makes life that much easier all around. Early registration: We are hoping to have Early Registration packages available by the end of April. For those of you who might not be here at that time, please leave a forwarding address with us so that we can mail them out. You may, at the same time, pick up your Personal Identification Number. And one more thing — we all wish you smooth sailing and good luck with your exams. Have a healthy, relaxing summer! (After all if spring is here, can summer be far behind?)

**Hey You!** - Are you interested in social events? If you are on the Social Committee or want to join up ... we need you for next year! N'hésitez-pas, tous et toutes! Sign up now on the LSA board, or grab me, the Social Coordinator, Julie Godin.

**Summer Jobs / Emplois d'été** - The third edition of the Canadian Guide to Uniform Legal Citation (Cite Guide) is tentatively scheduled for publication in the fall of 1992. In preparation, the McGill Law Journal is planning to conduct research over the course of the next eighteen months on the cite guide.

Deux postes de recherche seront disponibles cet été, de mai à août.

**Position I** Project Coordinator / Researcher  
Starting date of 14 May 1990 (flexible) with a salary of \$8.00-\$10.00/hour, 37 1/2 hour week. This person will be responsible for two main tasks:

- (A) Coordination of summer research and administrative duties:
- (i) supervise summer research;
  - (ii) make efforts to acquire funding for further research during the school year;
  - (iii) continue solicitation of comments from various sources;
  - (iv) correspond with legal writing programs, journals, reporters, courts and others to encourage

- their official adoption and use of the Guide;
- (v) develop and maintain a Guide user list;
- (vi) organize Guide filing system;
- (vii) investigate possibility of in-house publishing;
- (viii) investigate the "cite check disk", and
- (ix) organize meeting of advisory board.

(B) Conducting research for an expanded guide, including the following:

- (i) updating Revised Statutes of Canada
- (ii) including decisions of Government Tribunals, i.e. Competition Tribunal, Energy Board;
- (iii) developing computer databank materials, microfiche, microfilm;
- (iv) expanding government documents;
- (v) updating provincial and federal regulations;
- (vi) conducting initial research into American, Commonwealth and Francophonie citation: [Les conditions d'emploi sont disponibles en français; voir à ce sujet Tim Egan, Jim Doris ou Julia Hanigsberg].

## Poste II Rechercheur

Le travail débute le 22 mai 1990 à un salaire de \$7.00-\$9.00/heure basé sur une semaine de 37.5 heures.

Cette personne sera chargée d'effectuer des recherches, particulièrement sur les éléments suivants de la référence juridique internationale:

1. Documents des Nations Unies.
2. Autres organismes internationaux tels la C.E., l'O.C.D.E. et l'O.E.A.
3. Tribunaux internationaux tels que le G.A.T.T. et autres tribunaux multilatéraux et bilatéraux.
4. Pays moins industrialisés tant dans les juridictions de Common Law que de droit civil.
5. Organismes non-gouvernementaux tels que Amnesty Internationale et Greenpeace.
6. Recueils d'arrêts et périodiques publiés hors de l'Amérique du Nord.

## Les critères de base pour les 2 postes comprennent:

- i. Compétence acquise dans la recherche;
- ii. Connaissance du français et de l'anglais; langue parlée et écrite;
- iii. Connaissance du langage informatique.

Une préférence sera accordée aux candidates et candidats qui ont de l'expérience dans le domaine de l'édition et de la publication et qui expriment l'intérêt de se joindre au comité de rédaction de la Revue dans les années scolaires à venir.

S.v.p. faire parvenir votre lettre d'intention et votre curriculum vitae **avant 12:00, le 6 avril 1990**, au bureau de la Revue de droit (2e étage de la faculté) à l'attention de la rédactrice en chef.

[Job description available in English from Tim Egan, Jim Doris or Julia Hanigsberg]

**Grades by telephone** - Please note that examination results for the Winter term will be posted in the LSA Study area room. As well, a binder containing the results will be at the desk in SAO.

All full-time returning (non-graduating) students will be able to check their winter terms grades by telephone commencing Monday, May 28. Instructions will be included with the Early Registration material.

Students can pick up a Personal Identification Number (PIN) necessary for obtaining grades by telephone together with Early Registration material. This will be available at SAO towards the end of April. The PIN will NOT be mailed to students. Further information may be picked up at SAO.

**Judicial Board** - Spring is around the corner and it's time to do the inevitable planning for next year at McGill. Students' Society is looking for qualified enthusiastic people to fill positions.

Le comité judiciaire de SSMU doit être composé de 5 étudiants en droit de troisième ou quatrième année. Congratulations to George Locke, BCL III and Ron H. Lauenstein, BCL III, who have already been appointed. Three positions remain open.

All those interested in Judicial Board positions should consult the LSA bulletin board. Pour plus de renseignements ou pour un formulaire d'application, vous n'avez qu'à vous adresser au bureau de SSMU qui se trouve au "Union" ou à Ray Satherwaite, vice-président des affaires internes de SSMU au 398-6799.





## Rapport du président / President's Report

**Wednesday, March 28, 1990 / Le mercredi 28 mars 1990**

The 1989-1990 academic year has been a very prosperous one for the McGill Law Students Association. Virtually all of our objectives for the year have been met. I am most pleased to report that student involvement within the faculty has increased tremendously this year as compared to the previous years. A new group, the Environmental Law Association, was created, while others were expanded. Also the recent LSA elections attracted more voters and candidates than I have ever seen in my four years in this faculty.

My first and probably most important task this year was to establish a good working relationship between the students and the administration of the faculty especially in the light of the appointment of a new dean, Yves-Marie Morissette. I am pleased to report that this relationship has prospered throughout the year and that it has rarely been stronger. My successor will find that Dean Morissette is particularly receptive to student needs. He has not lost sight of the fact that a law school is first and foremost a teaching institution.

In terms of finances, we inherited from last year's Council, headed by my predecessor Norbert Haensel, a financially healthy association. However, we sensed that in years past, the impression among students was that the LSA was doing an excellent job of collecting money but that it was not spending enough of it.

This was probably not an accurate statement but regardless, under the very able guidance of our V-P Finance, Michael Marcovitz, we set out to change this perception among students in the faculty. More clubs received more money than ever before. The LSA sponsored a number of campus-wide events such as Sexual Awareness Week,

la Semaine Francophone and a Date Rape Conference. These are just a few examples of this commitment to do as much as possible for our students. Furthermore, we went beyond merely sponsoring these initiatives in our efforts to change this perception. In March 1990, we put on the First Annual LSA Conference, a conference organized by students for students. It is my sincere hope that this important tradition will be preserved by future LSA Councils.

Malgré ces mesures qui avaient pour but de dépenser plus d'argent pour les étudiants, l'actif de l'A.E.D. a augmenté d'environ 15%. J'aimerais donc féliciter Michael pour son excellent travail à cet égard. Comme un bon père de famille, Michael a toujours su à quel moment dire non.

Sur le plan des affaires extérieures, c'était une année exceptionnelle. L'année dernière, la C.A.D.E.D. a voulu établir un système de recrutement uniforme d'étudiants pour les cabinets d'avocats du Québec. Le projet a été initié par Pierre Larouche et il a été poursuivi cette année par notre V-P de droit civil, Evelyn Jerassy. Je suis heureux de signaler que grâce à ce travail, nous aurons fort probablement sous peu un système de recrutement uniforme en place à Montréal.

Le travail d'Evelyn à cet égard ainsi que dans plusieurs autres dossiers, notamment celui du bottin téléphonique, était exceptionnel. Je tiens à la remercier pour avoir été pour moi une conseillère indispensable.

This past year, the interests of common law students have rarely been so well served as they have under Irene Wolfe's tenure as V-P Common Law. It is particularly encouraging to note that fewer third year common law students

are leaving the faculty after completing their LL.B. degrees than in the previous year. I also wish to point out that unlike some of her predecessors, Irene sought to deal with more than purely common law issues. She became the link between the LSA and SSMU's Food and Beverage Committee in this crucial year of negotiations for a new cafeteria contract. The fruits of Irene's endeavors, namely the overall improvement of the cafeteria facilities, have been evident throughout the past two years and will continue to be seen over the next few years. Also, I would like to thank Irene on behalf of the Executive for being the conscience that guided our actions throughout the year.

Cette année, la vie sociale des étudiants était extraordinaire et cela est dû principalement au travail effectué par le comité des activités sociales et par son président Vincent Lesage. Jamais a-t-on vu dans notre faculté un événement de l'envergure du spectacle de Gilbert Gottfried/Cool Moonsoons qui a eu lieu au mois d'octobre 1989. La faculté de droit peut maintenant prendre sa place parmi les plus grandes facultés de l'université quant à ses nouvelles activités sociales.

De plus, Vincent a contribué à améliorer la relation entre le comité organisateur de Skit Nite et l'A.E.D. Je suis très heureux de vous faire part que nous avons maintenant une entente de principe avec le comité organisateur pour régler pour de bon cette question de la nature de la relation entre l'A.E.D. et le comité organisateur de Skit Nite.

Toujours sur le plan des affaires extérieures, je tiens à souligner le travail exceptionnel de notre V-P aux affaires extérieures, Cameron Young. Cameron a commencé l'année comme membre à

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## Coin des SPORTS Corner

by Jordan Waxman, Sports  
Coordinator

This column marks the end of an exciting term as Athletics Coordinator, and the last **Coin des SPORTS Corner** of 1989-90. I have relished creating the piece each week as well as listening to the sports/social chatter in the pit and gleaning from those sources only the choicest details and quotes. However, before highlighting some of this year's golden moments in sports, I will wrap up the intramurals.

Law's last chance to bring home the victory mug faded on the ball hockey parquet on Sunday. Screef was badly outmatched and fell mercilessly by a 9-1 score in the quarter finals. Cheers to Capt. Rob M. and the entire squad on a good season.

The **Law Leafs** made it one step further on the path to the Currie Cup, only to lose in semifinal overtime. In the quarters, the team looked like its powerhouse self, netting nine goals and allowing but three. Steve M. led the charge with three of the amrks, while the "sludge" line - Steve L., Jordo, Jimmy - was equally productive. Defense was strong. In the semis the fatigue began to show. Fighting a relentless Residende team, the **Leafs** sorely missed such offensive threats as Paul S., Steve K. and Seth-man, and defensive specialist Howie M. The teams shuffled to a 3-3 tie in regulation play - while Jimmy's potential winner was controversially disallowed. At 3:18 of the overtime period a balding opponent hammered the nail in the coffin on a screened shot from the point. It was a heartbreaking finale for the faculty's Dream Team. Congrats to Capt Steve M. and the whole team for a season well-played.

**Great moments in sport:** from the bizarre to the sublime, here are some of the vignettes which have either graced or

eluded these hallowed pages.

1. Land speed-eating record for perogies - Kathleen "Smurph" Murphy, Chuck & Randy's Polish Pigfest.
2. The goal-line stand - Darren's team, SnoBowl I, Marianopolis field - pushing Jocko, Tony and the rest back 10 yards.
3. The Law Bowling Club - J.W., Rob, Steve & Mack - 1st Wednesday tournament.
4. Superbowl party at Scotty's - Mike G's buffalo wings - the Michelins bet big on Denver - Tony wins the pot.
5. Land speed record - track and field - Law Games - Charles O'Brien - the tie-dyed tiger.
6. Scotty's 45' cliff jump at Whistler - the only person not watching was Warren Miller. The B.C. Chiropractors' Association sends its best.

Thanks to all the athletes, captains, coaches and extra-faculty participants and organizers for their enthusiasm and competitive spirit.

Thanks also to a terrific sports committee: Corrie, Chantal, Mitch, Karen, Dan, Laura and Kathleen for their inestimable contributions. Congratulations to the Neil Assh recipients: Kate, Dave, André and Mack-O and to all the nominees. Good luck to my successor Lori K and to Spike Lee.

B. Goode. Air Jordan Waxman.





# Vers une faculté plus bilingue: une solution peu coûteuse...

par Marie Normandin, Nat'l IV

Le Comité du programme a examiné la situation quant au nombre de cours offerts en français dans la Faculté. Les résultats d'un sondage effectué l'année dernière sur la politique linguistique de la Faculté démontrent que 73% des étudiant(e)s désirent que le nombre de cours offerts en français augmente. Ce sondage n'indique pas le nombre d'étudiant(e)s qui désirent effectivement suivre des cours en français. Or, il semblerait que plusieurs étudiant(e)s dont la langue première est l'anglais craignent de s'inscrire à des cours en français.

It is quite normal to fear taking courses in a language other than one's mother tongue. It is equally natural to obtain results that may be lower than the ones which we are accustomed to receiving. But results are not the only important factor to consider in making the decision to take that risk or not. Several English speaking students take courses in French and do not necessarily obtain lower results than their francophone colleagues. Even if it were true that students who are taking courses in the other language were obtaining lower results, it may be worthwhile to remember that learning does not solely consist of obtaining good results the first time around. Improvement comes with practice.

Deux étudiants membres du Comité du

programme ont présenté une recommandation au Conseil de la Faculté pour parer à cette crainte de prendre des cours en français : la résurrection d'un cours de terminologie juridique en français. Il me semble qu'un tel cours n'aidera pas à faire disparaître la hantise dont la plupart des étudiants(es) souffrent, celle d'avoir à tout prix de bonnes notes. Une meilleure solution de rendre générale une pratique exercée par quelques professeurs et ceci pourrait se faire sans créer un nouveau cours.

I have noticed that some professors are more sensitive than others to the fact that there are anglophones who take their courses in French or that there are francophones who take their courses in English. When there are juridical terms that may cause problems to the students, those professors write the terms on the blackboard and tell the students the equivalent terms in the other language. This is something that is done quite naturally by a few professors and this practice could be followed by a greater number of professors. It could make life a little more comfortable for the students who would like to learn French or English while studying law. Of course, it will not do much to alleviate the fear but the only way to fight against that fear is to try and try again. Croyez-moi, ça vaut la peine!

Ron and Dan, on behalf of the Quid Novi Editorial Board, would like to thank all those students who took the time to write and submit their articles, making this 1989-90 year certainly the best in terms of quality. The Quid is after all only what the students of the Faculty of Law make it. Thanks again to...

Glenn McDonald, Evelyn Jerassy, Jean-Philippe Gervais, Ron H. Lauenstein, Jay Spare, John Synnowich, Juli Abouchar, Fraser Baird, Bram Freedman, Frank Picciola, Drew Berman, Cameron Young, Susan Abramovitch, Maria Yang, Johanne Poirier, François Roberge, Adelle Blackett, May Chiu, Robert Fabes, Hanson Hosein, André Beaulieu, Michael Gaon, Allison Turner, Tanya Goldberg, Colleen O'Brien, André Ouellette, Julia Quon, Jeanne Cadorette, Phillipe de Grandpré, Frédéric Beauvais, David Chemla, Charles O'Brien, Anne-Marie Migneault, Julie Beauchemin, Eric Buzzetti, A.O. Gillespie, Richard Rosensweig, Michelle Cumyn, Marc-Antoine Adam, George J. Ahtipis, Ricky Black, Colin Chang, Glen Grossman, Marie Lussier, Irene Wolfe, David Butts, Barbara Szeicz, Andrea Morrison, J.P. Poitras, Alison Wheeler, Georges Dubé, Marie-Christine Kirouack, Kurt Johnson, Darren McGuire, Isabelle Godin, Patricia Armstrong.

And a special thanks to those who have contributed consistently throughout the year...

Jordan Waxman, James Hughes, Anthony Fata, Pierre Larouche, David Wallbridge, Brian Shiller, Maryse Beaulieu, Geneviève Saumier, Jeffrey Rudolph, Véronique Belanger, Stéphane Ethier, Zino Macaluso, Judy Knight, Ross Milliken, Michael Wilhelmson, William Boulet, Hélène Gagnon, Darcy Edgar, Julie Godin, Eve Saucier, Michael Kleinman, J.A. Farray, Diana Torrens.



### Listening earth...

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the growth of deserts, deforestation, and the extinction of plant and animal species (just to mention a few). Myers through this Beatty Memorial Lecture entitled "The Listening Earth", spelled it out in dollars and cents the "concealed cost of inaction".

Take the greenhouse effect - if the sea rises, New York and other coastline cities face the cost of building up the shoreline, and relocating communities. However, the problem cannot be so neatly encapsulated within a national budget. For heavily-populated developing nations (such as Pakistan) that are unable to undertake such engineering mega-projects, losing territory would create a new type of refugee - "ecological refugees". And they would need our help. In terms of cost-effectiveness, inaction now multiplies costs in the future.

Myers found that governments share the lowest common denominator of being reactive rather than anticipatory (with the exception of Sweden perhaps). Basically the oil has to be oozing on the beaches before they sit up and take notice. While many factors share the blame, he argued that "the nation-state is too big for the small problems and too small for the big problems". The solution, Myers suggested, is the gradual withering away of the nation-state. It would be replaced by environmental policy formation that evolves out of municipal level activism, and devolves downward from international agreements formulating norms and principles. While the nation-state could still be present, it would be one factor among many.

While pointing fingers at politicians is always a worthwhile activity, Myers goes on to attack our "cowboy economy" and suggests the need for a "spaceship economy" based on the efficient use of resources with minimal waste. In practical terms, instead of GNP

to measure our 'success' (in terms of quantity of livelihood), Myers talked about Natural Resource accounting which would measure quality of life. Structural change must be accompanied by a new set of expectations . . . a challenge to rethink the 'good life'.

Consumerism now, he added, is like a cancerous growth. A healthy organism physically grows for a certain number of years, then growth stops, and maturity begins. In our culture, we have yet to reach that second stage.

## Social Committee Report

My job is over. I will remember all the aspirin and the headaches that I happily suffered from all the work, and the increase in my drinking habits. It must be said that social coordination is not a thankless job, my fellow students have all year long supported me and the social committee and your appreciation of our work made us excel and try to do better every week. This faculty has grown from being an overstressed aquarium to a place where students and professors can actually meet and talk outside of a classroom setting. The anxiety level might still be very high, but the price of the beer and munchies makes it, I hope, bearable. The social committee will end up this year with profits close to \$2000.00 and very special thanks to:

Jonathan Burnham, Brett Code, Seth Dalfen, Mitch Dufresne, Karen Dunn, Henry Eichler, Anthony M. Fata, Brian Fell, Scott Henderson, Christian Immer, Kurt Johnson, Lori Knowles, Patricia Kosseim, Rob Michelin, Kathleen Murphy, Laura Nield, Katherine Petcher, Lucie Poirier, Brigitte Roy, Mark Steinberg, John Synovitch, Renée Thériault, Anne-Marie Waters, Jordan Waxman (ex officio). You have been great, and a lot of fun to work with. Good luck on exams I will be back next year; and who knows, maybe I will still be selling all that beer.

Vincent Lesage  
Coordinateur Social

## Delta Theta Phi Update

by Hélène Leblanc, BCL I

Last March 21st, the F.R. Scott Senate of the Delta Theta Phi Fraternity elected its new executive council for the upcoming school year. After a close race for the position of dean of the senate between Colin Chang and Dino Mazzone Jr., Dino was finally elected. He will be assisted in his functions by Daniel Copnick, the senate's newly elected vice-dean. Further appointments include Howard Manis, Clerk of the exchequer, George Ahtipis, Master of the Rituals, Jeffrey Nadler, Clerk of the Rolls, Kenny Nathans, Bailiff and myself, Hélène Leblanc, Tribune. On behalf of the other members of the new executive council, I would like to thank the outgoing executive officers for their hard work and efforts throughout their term and wish those who are graduating this year the best of luck.

Now that the official business is out of the way, let's get down to the nitty gritty. To be totally honest, very few people are aware of our existence within the faculty and those who do know of us unfortunately tend to be slightly put off by the fact that we're a "frat". The truth is that although we may be a "frat" in the technical sense of the term, we are not to be equated with those typically found on lower campus, (let's not name any names). For the record, we do not engage in sexist or discriminatory activities nor does our initiation ritual involve the degradation of our members or the sacrifice of any small (or large for that matter) animals. We're closer to what some may call a professional association. This brings me to talk about some of the events we have planned for next year. Of course, we plan to continue our support of Skit Night and other such charity oriented events as Balderdash (which took place last March 7th). In addition, we are planning a number of events for orientation week including parties and a B.B.Q. On a more serious note, we are working on a variety of activities ranging from conferences to a public speaking contest for members of our distinguished faculty.

If you have any questions, please don't hesitate to contact any of the members of our executive council.\*\*\*



## Summary Night Fever...

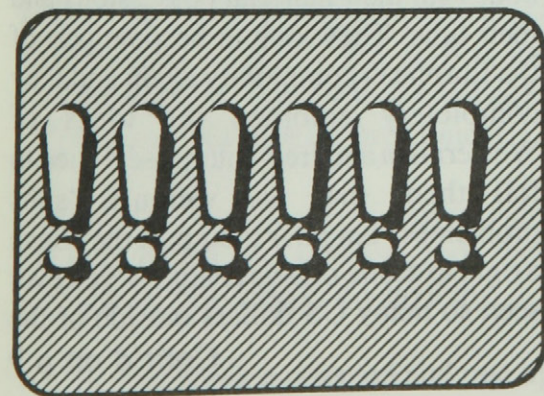
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it - summary-less. (Where is Gisèle - ma - belle - when you need her, anyway?)

A friendly word of warning to our consocours and confrères desperately trying to shed that 'first-year' image: Don't get too carried away with summary night fever, as I am sure many of you did in November. Pardon the awful pun, but even if summaries do seem crucial to "Staying Alive", everyone ends up with the same garbage anyways. I know. You should have seen me trying to make heads or tails out of Civil Law Property last year. I had my class notes, case briefs, two or three summaries, the code (naturally) and Bill 20 (regrettably) spread out before me. I still carry the scars (and paper cuts) from trying to compare three different summaries while writing one of my own!

And so, you can see why "5 across" affected me so 'deeply' last Sunday. I would never, however, dream of imploring you, dear reader, not to waste your time doing crossword puzzles over the next few weeks, even if you did have better things to do. Actually, the puzzles are great brain-teasers and provide an even better excuse for not studying. Simply proceed with caution; have a friend or relative proof-read the puzzle beforehand in order to ensure that potentially dangerous, evocative clues are removed. You never know what effect they might have.

By the way - - - I never did get 5 Across.



# Hard to Kill the Oscars

by Georges Dubé, LLB I

Last week, I had the misfortune of wasting a valuable six dollars on one of the worst films of recent memory, Hard to Kill starring Steven Segal. As not to alienate my audience, I must insist that my taste is broad and sensitive to most genres, mindless action-violence flicks being no exception. For example, Segal's first feature effort, License to Kill, was a financial success as it successfully fulfilled its limited artistic goals. There was a clear plot (good guy and the corrupt police force) and large quantities of blood and bone splintering. Although Hard to Kill shares many if not all of these themes and characteristics, this latest work is lacking on all cinematic levels no matter whose scale you use - (Rambo or Schwarzenegger's).

Now rather than continuing to focus my attention on this single easily classifiable film, I thought it appropriate to comment on what Hollywood and many brain dead people believe to be the event of the year - the Oscar presentations.

Without question, the Oscars offer us a prime example of an institution which promotes needless competitiveness in a segment of society that thrives on a spirit of cooperation and collaboration. The nominating process inevitably ignores worthy performances and works. This year's ignominy was the omission in several categories of Spike Lee's Do The Right Thing, as Oscar host Billy Crystal jokingly suggested in his opening remarks.

In addition, the winning process is seemingly just as arbitrary. A significant number of Academy members fail to see most if any of the films nominated. The

truly outstanding movie or unique performance will most always be recognized, as was Daniel Day Lewis' effort this year. However, as we are often dealing with apples and oranges when comparing works of art, the "winner" is often gauged on some standard other than artistic merit. For example, even eighty-year-old Jessica Tandy suggested after winning the best actress award that she might have earned the nod solely because of her age and past contribution.

Despite its glaring faults, though, Oscar night has not only survived, it has flourished and grown into a worldwide setting. Last week's performance was broadcast live from six different cities in addition to Hollywood and viewed by an estimated one billion people. The Academy, sensitive to the international flavour, honored Japanese director Aking Kurosawa with a lifetime achievement award.

As the industry is now truly global, studios and film makers can no longer pass up the opportunity for such wide exposure. Some believe that only the indignant artist may remain as the last hope for changing this exercise. But if last Monday is any indication, this possibility seems to be fading into oblivion as exemplified by the appearance of some of the Screen Actors Guild's biggest guns such as Jack Nicholson, and media shy Warren Beatty and Robert De Niro. Only Marlon Brando bangs the drum of non-conformity. But as long as films like Hard to Kill stay off the ballot, audiences will only put up with Oscar's superficialities in the hope of capturing a glimpse of a star.



# IDENTITY (Do we have one?)

by Brian Fell

I've never been good at learning from books. I learn best from experiences. I wasn't even sure of the location of Canadian provinces until I rode my motorcycle from B.C. to Newfoundland. I couldn't tell the difference between spoken French or Spanish until I learned to speak them. I wasn't stupid, I was just ignorant. Ignorance isn't a sin, you know. It's just not knowing because you've never been told.

I thought I knew who I was at various times in my life. Then I'd realize that I'd just been ignorant. I was too close to myself to look at myself objectively. To know myself I had to learn about other people. Finding how they're different from me taught me about myself. It's a process of comparison that takes lots of time, experiences, and travel.

As I've learned about myself I've also learned about our society and culture. We might find our identity through comparison with others. The following are some observations I've made.

USA. An extremist culture, they've given the world the best and the worst. Strict environmental standards and Ronald Reagan. The most criticized and the most imitated people in the world. Masters in selling. "Dynasty" which is seen in some African countries and translated into the local dialect. Everything is always "new & improved" even if it's just the packaging.

Mexico. Considered a "developing" country. I gave up looking for litter bins while I was there. Garbage is thrown everywhere but there's much less of it than in "developed" countries because anything that can be used is kept. They just can't afford to waste. Carbon paper is used until worn out. Packaging is done without staples and tape but rather with

careful folding. Picking fruit and mixing cement is done by hand. Necessity leads to efficiency.

West Germany. Perhaps the culture with the least American influence I've ever seen. Even "Easy Rider" magazine is translated. West-Berliners, however, are an exception. Being an island in a sea of socialism, they exaggerate their connection with the "free west." More than anywhere else in Europe, Harley-Davidsons and Chevrolets are present in West Berlin. I don't know the situation since the "wall" fell but I don't expect it will change in a hurry.

Austria. Much like Germany. Rule makers and followers. I was ordered off the grass in a park in Innsbruck where I had ventured to take a photo.

Switzerland. Four legally recognized languages. My friend from Lausanne says it's not easy doing the obligatory military service because the German-Swiss like to march in straight lines and follow commands while the French-Swiss prefer to sit back and have a coffee and a cigarette. And then there's the Italian-Swiss...

France. What impressed me most was the government's strong hand. They don't mess around appointing commissions to forever study problems. They just make decisions. La tour Eiffel was built despite strong public opinion against it. History repeated itself in the construction of the glass pyramid au Louvre. Citizens found it completely out of sync with its surroundings but it was built anyway. Like la tour Eiffel, it is now one of the most popular tourist attractions in Europe. The same "full speed ahead" attitude is taken towards the construction of the "Chunnel" between France and England.

England, on the other hand, is having

trouble dealing with its position in the world in general, and more recently and specifically, the European Community. The fall of the Empire and the descent to near third world status has been carefully ignored (willful blindness) by the British. Britain is now seen as the ideal place for foreign investors wanting to gain access to "Europe '92" and has attracted many Japanese companies due to low wages and little strike activity. The Brits have protected themselves from this cruel reality by hanging on to tradition and their natural isolation as an island. Consequently, there is much opposition to the "Chunnel" in England.

Ireland, on the other hand, has been a much more willing participant in Europe and has been manufacturing and exporting to the continent much more than England. This is probably due to their desire to distance themselves as much as possible from England. They are also trying to bring England to court in the Hague for having made the Irish Sea the most polluted and radioactive in the world.

Let's step out of the Western world a bit. Poland, of course never wanted to be part of the East but had no choice. When they won democratic rights in 1989, they showed the world that there is a place for dissidence. Most of the changes that are now happening in Eastern Europe are connected to the Polish breakthrough but the Poles will continue to be one of the poorest countries in Europe for some time yet. A poor but generous people, both with their material possessions and their time. They long to become part of the European community again and they completely embrace the ideas of Westernism and free-enterprise. I tried to tell them that we weren't "sans problèmes" but after their past they have a right to desire drastic change. I've never seen so many US dollars outside of the

Cont'd on p.9



## Identity,,, Cont'd from p.8

USA. It's also the only country I've ever been to where you get US dollars for US dollar travelers cheques.

Hungary has been the country that has most gone against the socialist bloc (their little-protected iron curtain was officially cut down early in '89) and it's easily confirmed. Fancy European cars & flashy Japanese motorcycles. I guess it's a hybrid between East and West. We met a lot of East Germans who were visiting Hungary even though they found it very expensive. They figured it would soon be impossible to obtain visas because too many East Germans were using Hungary as an escape route to the West. For a while it looked as though what they feared was about to happen. Then . . . well you know the rest.

What does this tell us about ourselves? Be forewarned, this will probably be a bit negative because I'm living here now. While I was away I realized all the great things about us but they don't come easily to mind.

Maybe that's my first observation, a bunch of complainers. Some foreign students here have told me that the first thing we tell them is how horrible winter is. They don't find it so bad.

It is quite unusual to find a people as non-militarily minded as we are. Even in other places where service isn't obligatory everyone has been, or has someone close, who has been in the military. When a German friend asked me to examine her Canadian army surplus coat to see if it was authentic, I had to admit that I didn't know. A Swiss friend who was discharged for psychological incompatibility (feigned at first but later. . . ) told me "Tu devrais être content."

Unlike the French, our government studies problems forever and then sometimes still doesn't do anything.

We're very service-oriented and rate up

close to the Americans for efficiency in selling. If you want it and can pay for it, you can usually get it with very little problem. But a hard-sell culture has its drawbacks. We are permanently in a hurry, with little time for anyone. In Poland, people I had just met took time off work so they could show me around. Also, we have so much choice that it's decadent. Do we really need hundreds of different kinds of cars, stereos, videos, etc?

As far as production goes, we can't produce cheap like Asians because of our high wages. We could produce quality goods but no one wants to pay a premium price. We always want the "good deal."

In many different fields we've done little innovation, preferring to adopt US or European models. In this respect we have a Third World mentality. We've been able to maintain an extremely high standard of living by riding on the backs of our natural resources and we've even imported the technology and capital to extract them. Our resources have been so plentiful that we've been able to support our exorbitant habits by just skimming off the top. Unfortunately, our riches have led us to create our own problems. Since we call all afford cars, we have traffic congestion and increased pollution. The small demand for public transport results in an inadequate system that suffers cutbacks, making it worse, tempting people to buy more cars. We have many of these vicious circles, enjoying as we do, the dubious distinction of biggest energy wasters in the world.

Yes, our penchant for new things makes us much like Americans but there is a difference. I've asked my acquaintances in my travels and they all see a fundamental difference between us and the Americans. The usual observation is that we're quieter and nicer but these are just manifestations of an underlying personality. What is our identity? To the Americans we are an attic. They know it's there but they don't go up in it very

often. It's usually far removed from their minds unless there's a leak in the roof or a wind blowing through the house. Once the problem is fixed the attic slips back out of consciousness.

Is this our destiny, an attic? Or to be forever identified by what we are not? Or again, as a mix, an average of the different peoples in our history? No, we have an identity waiting to be discovered but it won't jump in our faces. We have to be willing to put in the work to find it. Do we want to?

## Sublets

Quiet, sunny 5 1/2 with two balconies, hardwood floors. 2nd floor of two storey house. Across the street from Vendome metro. Private entrance. Available May or June. Lease ends July 1. Renewable. Currently \$700 cold. Sublet for \$500. 489-1684, 7-10 p.m., ask for David.

Sublet. 3 1/2 on Summerhill at Guy metro. May-August. Quiet, convenient, fully furnished, clean, bright, beautiful, bugless, balcony, laundry. Rent negotiable. Call Darcy at 939-0860, leave message.

Shared accomodation. Gorgeous 7 1/2, great kitchen, sunny, spacious, hardwood floors, close to the Fairmount Bagel Factory. A steal at only \$225/month. Call Dale (a woman) at 274-0007.

Well furnished 1 bedroom apartment. Great downtown location: on Durocher between Sherbrooke & Milton. Very sunny, cool at night. Quiet. \$350, all included. Sublet for 4 months, May 1 to August 31. Call 845-8779.

3 1/2 Sublet: Stanley & Penfield: 30 seconds to law school! Newly furnished, heat, hot water & gas included. Hardwood floors, clean & quiet. Laundry in building. May to August 31. No option to renew. Phone 284-5474 after 6 p.m.

6 1/2 - Hutchison & Villeneuve (juste au nord de du Parc) - autobus du Parc - approx. \$350 ou \$200 si partagé - tout compris - à sous-louer et/ou partager - à partir du 15 mai ou le 1er juillet - pour l'été (et après si l'on veut) - tél. : 271-0758, Glenn, tôt le matin ou le soir.

Westmount sublet: 3 1/2 on Claremont below Sherbrooke. For May until end of August. Completely furnished, hardwood floors and very clean. Close to shopping, Vendome metro and 24 bus line. And cheap: only \$370. Call 485-2649 anytime - leave a message.

Cozy, hardwood floor, 1 1/2. Corner Hutchison & More on p.10



la fois de notre conseil et celui de SSMU. À la fin de son mandat, Cam s'est retrouvé comme membre du comité des affaires extérieures de SSMU, représentant de McGill à la F.E.E.Q. et porte parole adjoint de cet organisme. Ces postes étaient particulièrement importants cette année alors que le Ministre de l'éducation a annoncé le dégel des frais de scolarité. Le travail de Cam dans ce dossier, particulièrement eu égard au mémoire présenté à la Commission parlementaire, était exceptionnel et nous lui en sommes reconnaissant.

Since close to half of the executive spent the year dealing with external affairs, someone had to mind the store, and this is where Seth Dalfen's work as V-P Administration proved to be excellent throughout the year. Despite the often bland material generated at Council meetings, Seth's minutes were always lighthearted and a pleasure to read. I am pleased to report that his work will insure that the record of our work will be recognized by future Councils.

Many others have contributed to making this year an excellent one for the LSA. The work by students on the various committees and groups was exceptional. One area that merits special mention is the outstanding work of this year's yearbook committee. Under the guidance of its editor-in-chief, Bram Freedman, the yearbook, now christened the *Res Ipsa Loquitur*, has taken its proper place as an established institution within the faculty.

One of my goals for this year was to improve our relationship with the rest of the University and in particular with SSMU. I am pleased to report that thanks to the outstanding work of our two representatives to SSMU Council, Cameron Young and Robert Fabes, this goal has been achieved. It is my sincere hope that my efforts as a member of Presidents' Council have also been helpful in this regard.

Another of my priorities was to address the problem of student space within the faculty. I am pleased to report that the clubs' room has now become a reality. Also funding from the Dean to renovate the Smokers' Study Room has been secured and this task will be taken up during the summer. Furthermore, our cafeteria will receive new tables and chairs, new vending machines, a new counter set-up and, at long last, a ventilation system to cart off those unwanted cooking odours.

En conclusion j'aimerais dire que cette année j'ai eu l'honneur de présider la seule association d'étudiants en droit au Canada qui peut vraiment se dire bilingue, bijuridique et biculturelle.

J'espère simplement que je quitte en laissant l'A.E.D. un peu plus bilingue qu'elle était lors de mon arrivée. It is my sincere belief that it is our bilingual nature that makes ours the finest institution of its kind in Canada.

I would like to wish next year's Council, under the guidance of my very able successor, Bram Freedman, the very best of luck in their endeavours throughout the year.

Respectfully submitted,  
Anthony M. Fata  
President

Sherbrooke. Metro Place-des-Arts or 24 bus line. Rent \$300, fully furnished, not including gas. Laundromat across street. Sublet from May 5 - August 30. Call 284-5351 after 8 p.m.

1 1/2 apartment, \$365/month May to July. August FREE. Lincoln near Guy & Sherbrooke. Furnished, utilities included. 939-4326 after 6 p.m.

Female, looking for non-smoker to share fully renovated condo located at St-Christophe and René-Lévesque, only a 2 minute walk from the Berri-UQAM metro station. Fully furnished, huge kitchen, microwave, washer/dryer. Lease would be for early May to end of August. Asking \$250/month (excludes electricity). Please call Mary or David at 284-6522.

Big, Beautiful room to sublet in 5 1/2 for May thru August. Great location on Stanley between

Sherbrooke and Dr. Penfield, near Peel metro. All is included: furniture, utilities... Only \$225/month. Call 281-8563.

Recherche personne calme et non-fumeuse pour partager ou sous-louer un grand 4 1/2 situé sur l'avenue Cedar, à côté de l'Hôpital Général de Montréal, du Mont-Royal, de l'intersection Côte-des-Neiges & à 15 minutes de marche de la faculté. Possibilité de renouveler en septembre. Prix à discuter. Contacter Hélène or Armitz après 17h00 au 939-5711.

Clean, bright 4 1/2. Top floor 3639 Ste-Famille between Prince-Arthur/Pine. Quiet, laundry, buzzer, heat. Available May 4. Option to renew. \$475. Call Jordan at 286-1086.

Large, bright, fully-furnished penthouse apartment. Sundeck suitable for barbecues. Corner of Stanley and Dr. Penfield. Ideal for bachelor or couple. Available May 8 to Sept. 1. Laundry in building, airconditioned, heat, hot water included. Electricity, telephone extra. For more info call Fraser at 848-0636.

4 1/2 to share for the summer, option to renew. Côte-des-Neiges and Côte-Ste-Catherine near metro and #165 bus. Excellent shopping facilities. \$210/month, includes everything but phone. Available early May. Your room would not be furnished but the rest of the apartment is. Call André at 739-2093, in the evening.

Great location, 4 1/2 to sublet from May 1st with option to renew. On Coloniale between Pine & Prince-Arthur. Rent: \$525. Close to great shopping and great culture! Call Murray at 848-6189

Summer Sublet - BIG 2 1/2, Plateau Mont-Royal area, \$315 all included (negotiable). Available May 12 to August 31. Call Pierre at 848-0645.

## Quote of the Week

**Prof. Haanappel, in Obligations II, on March 29, about exoneration clauses in option:**  
"I won't explain that again. There's an excellent article written on that matter (pause) by myself. And nothing has been written better since."